

AMENDED IN ASSEMBLY MAY 3, 2001

AMENDED IN ASSEMBLY MAY 1, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 1045

Introduced by Assembly Member Firebaugh

February 23, 2001

An act to ~~repeal and add~~ *amend* Section 853 of the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1045, as amended, Firebaugh. Healing arts: practice.

Existing law provides for a Task Force on Culturally and Linguistically Competent Physicians and Dentists in the Department of Consumer Affairs. Pursuant to existing law there is a subcommittee within the task force to examine the feasibility of a pilot program allowing Mexican and Caribbean licensed physicians and dentists to practice in nonprofit community health centers in medically under-serviced areas. Existing law requires the subcommittee to report to the task force by March 1, 2001, and requires the report to be forwarded to the Legislature by April 1, 2001, with any additional comments.

This bill would ~~remove provisions for the subcommittee and create the Licensed Doctors and Dentists from Mexico Pilot Program, setting forth provisions related to eligibility, licensing, location, hiring, and employment benefits and salary. The bill would also provide for an evaluation of the program, and for funding of the program costs by philanthropic entities~~ *require the report's recommendations to be*

incorporated into the relevant statutory provisions by the enactment of a statute and would extend the dates for the subcommittee's submission of the report to the task force and the forwarding of the report to the Legislature.

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~ no.
State-mandated local program: no.

The people of the State of California do enact as follows:

~~SECTION 1. Section 853 of the Business and Professions~~

SECTION 1. Section 853 of the Business and Professions Code is amended to read:

853. (a) A subcommittee of the task force established in Section 852 is hereby created to examine the feasibility of establishing a pilot program that would allow Mexican and Caribbean licensed physicians and dentists to practice in nonprofit community health centers in California's medically underserved areas.

(b) The subcommittee shall consist of the following members:
(1) The State Director of Health Services, who shall serve as the chair.

(2) The Executive Director of the Medical Board of California.

(3) The Executive Director of the Dental Board of California.

(4) The Director of the Office of Statewide Health Planning and Development.

(c) Additional subcommittee members shall be appointed by the State Director of Health Services, including the following:

(1) Representatives of organizations that advocate on behalf of California licensed physicians and dentists.

(2) A representative of a nonprofit clinic association that advocates on behalf of members of language and ethnic minority groups and provides health services to a patient population that meets the following characteristics:

(A) Over 77 percent of patients are members of ethnic groups.

(B) Over 92 percent of patients have incomes less than 200 percent of the poverty level.

(C) Over 62 percent of patients do not speak English as their primary language.

(d) The subcommittee shall report to the task force by ~~March 4~~, ~~May 15~~, 2001, and the task force shall forward the report, with

1 any additional comments, to the Legislature by ~~April~~ July 1, 2001.
2 *The report's recommendations shall be incorporated into this*
3 *chapter by the enactment of a statute.*

4 (e) The Medical Board of California and the Dental Board of
5 California shall pay the state administrative costs of implementing
6 this section.

7 ~~Code is repealed.~~

8 ~~SEC. 2.—Section 853 is added to the Business and Professions~~
9 ~~Code, to read:~~

10 ~~853.—(a) The Licensed Doctors and Dentists from Mexico~~
11 ~~Pilot Program is hereby created. This program shall allow up to 70~~
12 ~~licensed doctors and 50 licensed dentists from Mexico to practice~~
13 ~~medicine in California on a temporary basis, not to exceed three~~
14 ~~years.~~

15 ~~(b) The Medical Board of California and the Dental Board of~~
16 ~~California shall issue temporary licenses to practice medicine to~~
17 ~~licensed Mexican doctors and dentists, within the limits set forth~~
18 ~~in subdivision (a), who satisfactorily pass the specific~~
19 ~~requirements contained in this chapter.~~

20 ~~(c) Doctors from Mexico eligible to participate in this program~~
21 ~~shall:~~

22 ~~(1) Be licensed and certified in their medical specialty in~~
23 ~~Mexico.~~

24 ~~(2) Have completed the following requirements:~~

25 ~~(A) Passed the second and third parts of the United States~~
26 ~~Medical Licensing Examination (USMLE), the National Boards,~~
27 ~~or an equivalent examination developed by the Medical Board of~~
28 ~~California.~~

29 ~~(B) Satisfactorily completed a six-month residency in~~
30 ~~California.~~

31 ~~(d) Dentists from Mexico eligible to participate in the program~~
32 ~~shall be required to be licensed in Mexico and to pass the~~
33 ~~California licensure examination. Preference shall be given to~~
34 ~~graduates from Mexican dental schools who have applied to the~~
35 ~~Dental Board of California for reciprocity under Chapter 792 of~~
36 ~~the Statutes of 1998, which allows a foreign dental school to apply~~
37 ~~for academic reciprocity and provides that, if granted, its graduates~~
38 ~~need not complete two years of accredited studies prior to taking~~
39 ~~the dental licensure examination, commencing January 1, 2003.~~

~~(c) Doctors and dentists from Mexico having met the applicable requirements set forth in subdivisions (c) and (d) shall be placed in a pool of candidates who are eligible to be recruited for employment by nonprofit community health centers in California located in the Counties of Ventura, Los Angeles, San Bernardino, Imperial, Monterey, San Benito, Sacramento, Santa Cruz, Yuba, Colusa, Glenn, Sutter, Kern, Tulare, Fresno, Stanislaus, San Luis Obispo, and San Diego.~~

~~(f) Nonprofit community health centers in the counties listed in subdivision (c) shall apply to the Medical Board of California and the Dental Board of California to hire eligible applicants who will then be required to complete a six-month residency that includes working in the nonprofit community center and corresponding local hospital. Upon satisfactory completion of this residency, and upon payment of the required fees, the Medical Board of California and the Dental Board of California shall issue a temporary and limited license to practice medicine or dentistry in California for a period of three years from the date of issuance. A licensee shall practice only in the nonprofit community health center that offered him or her employment and the corresponding local hospital. This temporary and limited license shall be deemed to be a license in good standing pursuant to the provisions of this chapter for the purpose of participation and reimbursement in all federal, state, and local health programs.~~

~~(g) The temporary license shall terminate upon notice by certified mail, return receipt requested, to the licensee's address of record, if, in the Medical Board of California or Dental Board of California's sole discretion, it has determined that either:~~

~~(1) The license was issued by mistake.~~

~~(2) A complaint has been received by either board against the licensee that warrants terminating the license pending an investigation and resolution of the complaint.~~

~~(h) All applicable employment benefits, salary, and policies provided by nonprofit community health centers to their current employees shall be provided to medical practitioners from Mexico participating in this pilot program. This shall include nonprofit community health centers providing malpractice insurance coverage.~~

~~(i) Beginning 12 months after this pilot program has commenced, an evaluation of the program shall be undertaken~~

1 ~~with funds provided from philanthropic foundations. The~~
2 ~~evaluation shall be conducted jointly by one medical school in~~
3 ~~California and the National University of Mexico (UNAM). This~~
4 ~~evaluation shall include, but not be limited to, the following issues~~
5 ~~and concerns:~~

6 ~~(1) Quality of care provided by doctors and dentists licensed~~
7 ~~under this pilot program.~~

8 ~~(2) Adaptability of these licensed practitioners to California~~
9 ~~medical and dental standards.~~

10 ~~(3) Impact on working and administrative environment in~~
11 ~~nonprofit community health centers and impact on interpersonal~~
12 ~~relations with medical licensed counterparts in health centers.~~

13 ~~(4) Response and approval by patients.~~

14 ~~(5) Impact on cultural and linguistic services.~~

15 ~~(6) Increases in medical encounters provided by participating~~
16 ~~practitioners to limited English-speaking patient populations and~~
17 ~~increases in the number of limited English-speaking patients~~
18 ~~seeking health care services from nonprofit community health~~
19 ~~centers.~~

20 ~~(7) Recommendations on whether the program should be~~
21 ~~continued, expanded, altered, or terminated.~~

22 ~~(j) Costs for administering this pilot program shall be secured~~
23 ~~from philanthropic entities.~~

